



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

FEB 20 2008

REPLY TO THE ATTENTION OF

(AE-17J)

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Larry Wadsworth, President  
Flavor Concepts, Inc.  
1350 W. Washington Street  
West Chicago, IL 60185

Dear Mr. Wadsworth:

The U.S. Environmental Protection Agency is issuing the enclosed Notice of Violation (NOV) to Flavor Concepts Inc. (you) under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). We find that you are violating the Illinois State Implementation Plan (SIP) at your West Chicago, Illinois facility.

Section 113 of the CAA gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action. Section 113 of the CAA provides you with the opportunity to request a conference with us to discuss the violations cited in the NOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

The EPA contact in this matter is Jamie Iatropulos. You may call her at (312) 886-6024 if you wish to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after your receipt of this letter.

We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Cheryl L. Newton".

Cheryl L. Newton, Acting Director  
Air and Radiation Division

Enclosure

cc: Ray Pilapil, Chief  
Compliance and Systems Management Section  
Illinois Environmental Protection Agency

Joe Kotas, Bureau of Air  
Illinois Environmental Protection Agency

**United States Environmental Protection Agency  
Region 5**

IN THE MATTER OF:	)	
	)	
Flavor Concepts, Inc.	)	NOTICE OF VIOLATION
West Chicago, Illinois	)	
	)	EPA-5-08-IL-7
Proceedings Pursuant to Section 113	)	
(a)(1) of the Clean Air Act, as	)	
amended, 42 U.S.C. §§ 7413 (a)(1)	)	
<hr/>	)	

**NOTICE OF VIOLATION**

Flavor Concepts, Inc., (you) owns and operates a food flavor manufacturing and distribution facility located in West Chicago, Illinois. The U.S. Environmental Protection Agency is sending this Notice of Violation (NOV) to you for violating the Clean Air Act (CAA or the Act) and its implementing regulations. An explanation of the violations is provided below.

Section 113 of the CAA provides you with the opportunity to request a conference with us to discuss the violations cited in this NOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for the facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

**STATUTORY AND REGULATORY BACKGROUND**

1. EPA approved the Illinois Pollution Control Board (IPCB) Rule 103 as part of the federally enforceable Illinois State Implementation Plan (SIP) on May 31, 1972. 37 Fed. Reg. 10862.
2. IPCB Rule 101 defines an "emission source" as any equipment or facility of a type capable of emitting specified air contaminants to the atmosphere. IPCB Rule 101 now is set forth at 35 Illinois Administrative Code (IAC) § 201.102.
3. IPCB Rule 101 defines a "new emission source" as any emission source that commences construction or modification on or after April 14, 1972.

4. IPCB Rule 103(a)(1) states that no person shall cause or allow the construction of any new emission source or any new air pollution control equipment, or cause or allow the modification of any existing emission source of air pollution control equipment, without first obtaining a construction permit from the Agency. IPCB Rule 103(a)(1) now is set forth at 35 IAC § 201.142.
5. IPCB Rule 103(b)(1) states that no person shall cause or allow the operation of any emission source or new air pollution control equipment, for which a construction permit is required, without first obtaining an operational permit from the Agency. IPCB Rule 103(b)(1) now is set forth at 35 IAC § 201.143.

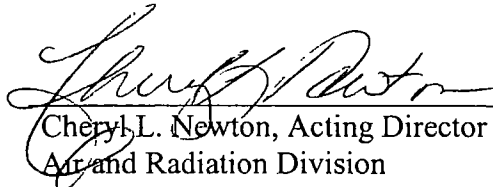
### FINDING OF FACT

6. Flavor Concepts, Inc., owns and operates a food flavor manufacturing and distribution facility (facility) located at 1350 W. Washington Street, West Chicago, Illinois.
7. The facility began manufacturing in 1998.
8. The facility operates a dry and liquid mixing area that includes five liquid mixing tanks, two dry ribbon blenders, one homogenizer, one cooler, one spray dryer, and one dust collector.
9. The facility is an "emission source" as that term is defined at 35 IAC § 201.102.
10. The facility is a "new emission source" as that term is defined at 35 IAC § 201.102.
11. As a "new emission source," Flavor Concepts, Inc., is subject to the construction and operating permit requirements of 35 IAC §§ 201.142 and 201.143.

### VIOLATIONS

12. Flavor Concepts, Inc., failed to obtain construction and operating permits, in violation of 35 IAC §§ 201.142 and 201.143 and Section 110 of the Act, 42 U.S.C. § 7410.

2/20/08  
Date

  
Cheryl L. Newton, Acting Director  
Air and Radiation Division

### CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Notice and Finding of Violation, No. EPA-5-08-IL-7, by Certified Mail, Return Receipt Requested, to:

Larry Wadsworth, President  
Flavor Concepts, Inc.  
1350 W. Washington Street  
West Chicago, Illinois 60185

I also certify that I sent copies of the Notice and Finding of Violation by first class mail to:

Ray Pilapil, Chief  
Compliance and Systems Management Section  
Illinois Environmental Protection Agency  
1021 North Grand Avenue  
Springfield, Illinois 62702

Joe Kotas, Bureau of Air  
Illinois Environmental Protection Agency  
9511 West Harrison Street  
Des Plaines, Illinois 60016

on the 21<sup>st</sup> day of February, 2008.



Shanee Rucker  
Administrative Assistant  
AECAS (MI/WI)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0006 0185 8962